

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
August 1, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, August 1, 2000, in the Board Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, and James S. Burgett.

Melanie L. Rapp was absent

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Chaplain Brian Finch, U.S. Coast Guard Reserve Training Center

Pledge of Allegiance to the Flag of the United States of America. Chairman Zaremba led the Pledge of Allegiance.

**PRESENTATIONS**

**EMPLOYEE RECOGNITION PROGRAM**

Mr. Robert S. Kraus, Director of General Services, made a brief presentation recognizing the service of Michael B. Gardner and Billy C. Hanrahan to the department and the County.

Chairman Zaremba then presented them with their 20-year service pins and certificates and congratulated them on the longevity of their service.

**CITIZENS COMMENT PERIOD**

Mrs. Jeanette Carter, 819 Baptist Road, spoke of a problem she was having with getting help from Social Services regarding her granddaughter attending Head Start at Yorktown Elementary School.

Mr. C. A. Barrs, 833 Railway Road, spoke of the need for emergency medical assistance at his place of business last week. He stated a 911 call resulted in a response team being sent to his office in a matter of minutes. The team consisted of Assistant Chief Bob Brown, EMS Supervisor Greg Fleming, Station Officer Pat Murray, Firefighters Ronnie Lewis and Ray Mountford, and Paramedic Joe Wollard who responded with quiet and cool efficiency to stabilize a potential heart attack victim. Mr. Barrs stated the team displayed total professionalism and the ultimate in training and medical expertise, while at the same time showing kindness and concern to the patient. He thanked the County for providing the excellent resource to the citizens of York

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County, and he presented letters of commendation that he asked be placed in the personnel files of the individuals involved.

Chairman Zaremba thanked Mr. Barrs for his presentation, stating the Board was extremely proud of its Fire and Life Safety personnel. He indicated it was very encouraging and rewarding to have a report such as Mr. Barrs', and he thanked him on behalf of the entire Board of Supervisors and the Fire and Life Safety staff.

### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett briefed the Board on the following topics:

President's Park: The appeal from the Board of Zoning/Subdivision Appeals' decision with respect to which zoning category the project falls under is scheduled tentatively for August 25 at 9:00 a.m. There is a possibility that the case could get bumped to October.

Condemnation Case: G-Square, Inc.: Because of the number of commissioners who were excused on July 26, there were not enough left to proceed, and the matter won't be heard until sometime in November.

Discharge of Firearms Ordinance: A map has been secured showing where in the County the discharge of firearms is currently prohibited. An amendment will be prepared in time for the first meeting in September showing possible areas where the Board might decide to allow firearms use.

### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. Stuck stated the County had a good rain storm last week and identified a number of additional drainage problems. He indicated the Board had received a letter from Bell-Atlantic concerning a proposal to make a change in the Hampton Roads area with telephone exchanges. Staff has examined the alternatives in terms of impact on equipment and operations and has indicated the County can handle either alternative at the present time, so no comments were forwarded to Bell-Atlantic. Mr. Stuck asked if the Board wished to forward comments or an official position to let him know as soon as possible.

Mr. Burgett stated he had the opportunity to hear Mr. Griffith's briefing through the Chamber of Commerce, and he did not think there would be a negative impact by utilizing the overlay method.

Mrs. Noll expressed her agreement with Mr. Burgett.

Mr. Stuck indicated he understood that was what the industry was supporting. He then stated the Board members could expect to see a resolution on its agenda for the first meeting in September confirming the establishment of the Office of Economic Development and moving the three Industrial Development Authority (IDA) employees over to the County. He stated he had met with all the IDA employees and given them letters of offer. Everything has been worked out in terms of benefits and transitioning. He indicated there are a number of questions that the IDA will have to address, and its members would meet on August 2 to discuss them. He stated the transition should be finalized by the end of the month, and the official date for the move to the County payroll is September 11.

**MATTERS PRESENTED BY THE BOARD**

Mr. Wiggins stated there was a Drainage Committee meeting on July 20 with 25 people in attendance. He stated he felt the members had accomplished a lot in that they had pinpointed most of the problem areas that caused the most concerns for the citizens. Between now and the next meeting, the committee would be going out with staff and visiting the sites to see what needed to be done. Mr. Wiggins noted that by August 17 the committee would be able to tell the representatives of the various communities what needed to be done and what would work, as well as the proposed plans for rectifying the situation.

Mrs. Noll spoke of the 2007 Commemoration for the 400<sup>th</sup> anniversary of Jamestown, stating the planning has been on-going for two years. She attended a committee meeting last week for community planning, and she extended an open invitation for any of the other Board members who wished to attend and help to please do so. Mrs. Noll spoke of the various needs to be addressed for the celebration such as infrastructure, roads, and transportation. She indicated she would like for Mr. Baldwin to address the Board in the near future concerning plans for the celebration in terms of the transportation needs. She stated that in Yorktown the County was working hard to complete the Riverwalk, and an air show would be coming to Newport News in 2003, and all of this would be bringing many people to the Hampton Roads area. Mrs. Noll encouraged the citizens to stay tuned for further information concerning the 2007 Commemoration. She then spoke concerning the Daily Press series on the King William Reservoir project and the need for water in the area. She urged the citizens to read the series, become informed, and ask questions. Mrs. Noll then indicated another initiative in the works was the proposal for reversing lanes on I-64 in the event of a major storm or hurricane and the need for evacuation. Discussions were just beginning, but a lot of planning must be accomplished and difficulties overcome before such a proposal can be made to work.

Mr. Burgett indicated he had met with a constituent last night who was concerned about the Board's actions with the IDA. He noted the Board had received criticism about the votes it had taken which were divided along the male/female makeup of the Board, but stated that in its 26 meetings, the Board members had voted 116 times. Of those votes, he noted that only six were divided 3-2 which made their agreement rate 93 percent. Mr. Burgett stated this Board examines the facts, and it was fallacy that the Board was so divided in its actions. He then addressed the remarks made by Mr. Barrett at the last Regular Meeting, indicating he wished that Mr. Barrett had called him because he then would have had a more informed basis for his remarks. He noted he had talked with a gentleman the previous evening who was upset that the Board members did not have a conversational exchange with the citizens who came to the Board meetings to speak, and he explained that it was the policy of the Board not to respond during those times because it was important to get the facts straight before doing so.

Chairman Zaremba briefly addressed the upcoming 2003 and 2007 celebrations, stating he hoped that the planners did not do what was done with the recent OpSail 2000 with respect to the advance reporting of the numbers of people that were expected. The information that was put out for OpSail 2000 actually discouraged people from attending. He then noted he would be having an old fashioned town meeting at 7:00 p.m. on Monday, August 7, in the Board Room of York Hall, and he invited all interested to attend. He indicated some of the topics he would address were economic development, parking in Yorktown, the two Wal-Mart initiatives, President's Park, New Quarter Park, and the Riverwalk. He indicated the floor would be open to other subjects as well. Chairman Zaremba then apprised the Board of the answer he received from his request to VDOT to lower the posted speed limit on Lakeshead Drive that runs to New Quar-

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ter Park. VDOT conducted a survey, but determined there was not enough history to substantiate a reduction in the speed limit at this time. He stated VDOT did not answer his question concerning the movement of the 40 MPH sign closer to the intersection of Lakeshead and W. Queens Drive, and he asked Mr. Stuck to check into it. Chairman Zaremba then asked Mr. Stuck for an update on the initiative to televise the Board's work sessions.

Mr. Stuck stated that Mr. Parker had indicated the equipment had arrived and would be installed over the next 30-45 days.

### **CONSENT CALENDAR**

Mr. Wiggins indicated he had contacted Mrs. Smith concerning Item No. 2 on the Virginia Individual Development Account Program, and stated he was amazed to learn that the County would be getting \$100,000 in grant funding as well as payment for administering the program. He stated the program would cost the County nothing, and it would be used for the people who were now under Section 8 or some type of housing allowance to enable them to save up to \$4,000 over a two-year period.

Mrs. Anne B. Smith, Director of Community Services, explained the operation of the program and the savings/match to allow these individuals to make down payments on homes, pay for educational expenses, or start or expand their own businesses.

Mrs. Noll then moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, and 3, respectively.

On roll call the vote was:

Yea: (4) Noll, Burgett, Wiggins, Zaremba  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 1. APPROVAL OF MINUTES**

The following minutes of the York County Board of Supervisors were approved:

June 13, 2000, Adjourned Meeting  
June 20, 2000, Regular Meeting  
June 24, 2000, Adjourned Meeting  
June 27, 2000, Adjourned Meeting

#### **Item No. 2. VIRGINIA INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM: Resolution R00-119**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE VIRGINIA INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM AND TO ACCEPT ANY GRANT FUNDS AWARDED TO THE COUNTY BY VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, the York County Board of Supervisors has a long standing commitment to assisting the County's low income citizens in meeting their housing needs and in becoming self-sufficient; and

WHEREAS, the Commonwealth of Virginia has offered York County a \$100,000 Virginia Individual Development Account (IDA) grant which will provide funds to match the savings of those who participate in the Family Self-Sufficiency component of the County's federally funded rental subsidy programs for the purposes of paying educational expenses, making down payments in the purchase of homes or for costs associated with starting small businesses; and

WHEREAS, this program represents a valuable resource for the County's citizens and significantly enhances self-sufficiency activities implemented by the Community Services Department; and

WHEREAS, a portion of the grant funds can be used for administration in conjunction with existing staff and resources, therefore making it possible to implement this program with no local fiscal impact;

NOW, THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 1<sup>st</sup> day of August, 2000, that the County Administrator be, and he is hereby, authorized to accept funding in the amounts offered the County by the Virginia Department of Housing and Community Development ("the Department") to execute any necessary grant agreements, related contracts, or other documents, subject to approval as to form by the County Attorney, to provide such additional information to the Department as may be required by the terms of the grant agreement, and to do all things necessary to implement the Virginia Individual Development Account Program.

BE IT FURTHER RESOLVED that the County Administrator is authorized to accept any subsequent offer of funding that would not exceed available resources for any required matches and to increase amounts appropriated in the FY2001 budget if and when funds become available and to advise the Board of all such actions in writing.

Item No. 3. COLONIAL SERVICES BOARD ANNUAL PERFORMANCE CONTRACT: Resolution R00-123

A RESOLUTION TO AUTHORIZE EXECUTION OF A CONTRACT BETWEEN THE COUNTY OF YORK AND THE COLONIAL SERVICES BOARD FOR THE DELIVERY OF SERVICES

WHEREAS, Section 37.1-195 of the Code of Virginia, 1950 as amended, requires each locality to establish, singly or in combination, a community services board for the provision of mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, pursuant to this statutory provision, the County of York has established the regional Colonial Community Services Board in conjunction with James City County and the Cities of Williamsburg and Poquoson; and

WHEREAS, Section 37.1-197(A)(2) requires local governments to review and act on the Annual Performance Contract with the Community Services Board and to make appropriate appointments to that Board; and

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WHEREAS, the Board of Supervisors has reviewed the proposed Performance Contract between the County of York and the Colonial Community Services Board and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1<sup>st</sup> day of August, that the proposed FY2001 Annual Performance Contract between the County of York and the Colonial Community Services Board is approved and that the County Administrator be, and he hereby is, authorized to execute the agreement and to take all actions necessary to assure that services are delivered to the citizens of York County.

### **NEW BUSINESS**

#### **HAMPTON ROADS CRIMINAL JUSTICE TRAINING ACADEMY**

Mr. Barnett briefly explained the purpose of proposed Resolution R00-125 to authorize the execution of an agreement with the cities of Hampton, Newport News, Poquoson, Portsmouth, and Williamsburg, and the County of James City establishing the Hampton Roads Criminal Justice Training Academy. He noted it was a slightly revised agreement from that which the County operated under previously with a slight difference in the name and some fairly minor changes in the way the Academy operated. He explained the difference in the composition of the Board of Directors.

Mr. Wiggins expressed concern regarding the change in the way the Board of Directors was selected from the jurisdictions, stating that those localities which have a police department as well as a sheriff's department get one more vote.

Chairman Zaremba stated the York County Sheriff represents both York County and the City of Poquoson. He asked Mr. Barnett why the composition was recommended for change.

Mr. Barnett stated it was a streamlining effort. It used to be that the Chief Administrative Officer and the Law Enforcement Officer for each locality were the representatives to the Board of Directors, with one additional person representing those sheriff's departments whose primary function was civil process and court security. York County has always sent two representatives and will continue to have two representatives.

Mr. Wiggins asked what the York County Sheriff thought of the new agreement.

Mr. Stuck indicated that Sheriff Diggs had no problem with the agreement. He indicated if the Board would look at how the agreement was funded, it was not unreasonable because it was based on the number of people being sent through the academy. He noted there were also some outside agencies such as the College of William and Mary that were being trained, but had no say at all. He concluded that the number of representatives has been expanded but also diversified; no one locality had a majority of the votes.

Discussion followed on the costs included in the Sheriff's budget and that of the Department of Fire and Life Safety to train personnel through the academy.

Mr. Burgett then moved the adoption of proposed Resolution R00-125 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO  
EXECUTE AN AGREEMENT WITH THE CITIES OF HAMPTON, NEW-

PORT NEWS, POQUOSON, PORTSMOUTH AND WILLIAMSBURG, AND  
THE COUNTY OF JAMES CITY, ESTABLISHING THE HAMPTON  
ROADS CRIMINAL JUSTICE TRAINING ACADEMY

WHEREAS, the County has for a number of years participated with Hampton, Newport News, Poquoson, Portsmouth, Williamsburg, and James City County in the establishment and operation of the Hampton Roads Regional Academy of Criminal Justice; and

WHEREAS, parties to the Agreement have revised the Academy's charter to more accurately reflect the current practices of the Academy which incorporate the provisions of certain acts of the General Assembly adopted since the creation of the Academy; and

WHEREFORE, the Board desires to enter into an agreement establishing the Hampton Roads Criminal Justice Training Academy as a continuation of the Hampton Roads Regional Academy of Criminal Justice;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1<sup>st</sup> day of August, 2000, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board an agreement with the Cities of Hampton, Newport News, Poquoson, Portsmouth and Williamsburg, and the County of James City, establishing the Hampton Roads Criminal Justice Training Academy, substantially in the same form transmitted to the Board by report of the County Administrator dated July 18, 2000, provided that such agreement be approved as to form by the County Attorney.

On roll call the vote was:

Yea: (4) Wiggins, Noll, Burgett, Zaremba  
Nay: (0)

**CLOSED MEETING.** At 8:10 p.m. Mr. Burgett moved that the meeting be convened in Closed Meeting pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (4) Burgett, Noll, Wiggins, Zaremba  
Nay: (0)

Meeting Reconvened. At 8:28 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Wiggins moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF  
INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of August, 2000, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (4) Noll, Wiggins, Burgett, Zaremba  
Nay: (0)

REAPPOINTMENTS TO THE YORK COUNTY ARTS COMMISSION

Chairman Zaremba moved the adoption of proposed Resolution R00-108 that reads:

A RESOLUTION TO APPOINT REPRESENTATIVES TO THE YORK  
COUNTY ARTS COMMISSION

BE IT RESOLVED by the York County Board of Supervisors this the 1<sup>st</sup> day of August, 2000, that Joyce T. Ashton, Barbara T. Henry and Sheila L. Myers, be and they are hereby, reappointed to the York County Arts Commission for a term of three years, such term to begin August 1, 2000, and end July 31, 2003.

On roll call the vote was:

Yea: (4) Wiggins, Burgett, Noll, Zaremba  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY BOARD OF ZONING/SUBDIVISION APPEALS

Mrs. Noll moved the adoption of proposed Resolution R00-124 that reads:

A RESOLUTION TO RECOMMEND THE APPOINTMENT OF TWO INDIVIDUALS TO THE YORK COUNTY BOARD OF ZONING/ SUBDIVISION APPEALS

WHEREAS, Marvin D. Rhodes, Chairman of the York County Board of Zoning/Subdivision Appeals, resigned from the Board effective June 26, 2000; and

WHEREAS, Mr. Rhodes term of office will expire on December 31, 2001;



NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 1<sup>st</sup> day of August, 2000, that Cynthia I. Barbeau, who is currently an alternate member of the Board of Zoning/Subdivision Appeals, be, and she is hereby, recommended for appointment to the York County Board of Zoning/Subdivision Appeals, such term to begin immediately and expire December 31, 2001.

BE IT FURTHER RESOLVED by the Board that Robert E. Beil, Jr., is recommended for appointment as an alternate member to the Board of Zoning/ Subdivision Appeals.

On roll call the vote was:

Yea: (4) Noll, Burgett, Wiggins, Zaremba

Nay: (0)

Meeting Adjourned. At 8:31 p.m. Chairman Zaremba declared the meeting adjourned to 6:30 p.m., Tuesday, August 8, 2000, in the East Room, York Hall, for the purpose of conducting a work session.

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Daniel M. Stuck, Clerk  
York County Board of Supervisors

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Walter C. Zaremba, Chairman  
York County Board of Supervisors